

REMARKS:

CLAIM AMENDMENTS

The Applicants have canceled claim 1 and amended claims 2, 3, 7, 11 and 24 as described below. Specifically, the Applicants have rewritten claims 2, 3, and 24 in independent form including the limitations of claim 1. Claim 7 has been amended to change "method" to --apparatus--. Furthermore, claim 24 has been amended to recite "at least one magnetic sensor".

ELECTION/RESTRICTIONS

The Examiner has withdrawn the previous restriction requirement and examined all claims.

CLAIM REJECTIONS

35 USC 112

The Examiner has rejected claims 7, and 24-26 under 35 U.S.C. 112, second paragraph as being indefinite. The Examiner states that there is insufficient antecedent basis for "the method" in claim 7 or "the at least one magnetic sensor" in claim 24. To expedite prosecution, the Applicants have amended claim 7 to recite "the apparatus" and claim 24 to recite "at least one magnetic sensor" as set forth above. The Applicants submit that these amendments overcome the Examiner's rejections.

The Applicants submit that the amendments to claims 7 and 24 merely make explicit that which was implicit in these claims as filed. As such, no new matter has been entered with this amendment. Furthermore, this amendment does not narrow any limitation of claim 12 within the meaning of the decision in *Festo Corp. v. Shoketsu Kogyo Kabushiki Co., Ltd.*, 234 F3d 558, 566, 56 U.S.P.Q.2d 1865 (Fed. Cir. 2000) 535 U.S. 722, 152 L. Ed. 2d 944, 122 S. Ct. 1831, (2002).

35 USC 102

The Examiner has rejected claim 1 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,215,318 to Schoefthaler et al. (hereinafter Schoefthaler) and US Patent

Publications 2003/0117027 to Rybnicek et al (hereinafter Rybnicek). To expedite prosecution, the Applicants have canceled claim 1. Therefore the rejection is moot.

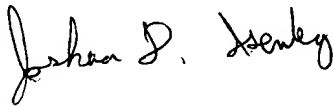
ALLOWABLE SUBJECT MATTER

The Examiner has indicated that claims 2-26 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and/or to overcome the rejections under 35 USC 112. To expedite prosecution, the Applicants have amended claims 2, 3, 7, 11 and 24 to adopt the Examiner's suggestions. As such, the Applicants submit that claims 2-26 are allowable for the reasons cited by the Examiner.

CONCLUSION

For the reasons set forth above, the Applicants submit that all claims are allowable over the cited art and define an invention suitable for patent protection. The Applicants therefore respectfully request that the Examiner enter the amendment, reconsider the application, and issue a Notice of Allowance in the next office action.

Respectfully submitted,



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